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Security Council

Sixty-ninth year

Provisional

7142nd meeting
Wednesday, 19 March 2014, 10 a.m.
New York

President:	Ms. Lucas	(Luxembourg)
Members:	Argentina	Mrs. Perceval
	Australia	Ms. King
	Chad	Mr. Cherif
	Chile	Mr. Errázuriz
	China	Mr. Liu Jieyi
	France	Mrs. Le Fraper du Hellen
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Lithuania	Mr. Baublys
	Nigeria	Mr. Adamu
	Republic of Korea	Ms. Paik Ji-ah
	Russian Federation	Mr. Pankin
	Rwanda	Mr. Gasana
	United Kingdom of Great Britain and Northern Ireland	Mr. Shearman
	United States of America	Ms. Power

Agenda

The situation in Libya

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2014/200, which contains the text of a draft resolution submitted by the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Argentina, Australia, Chad. Chile, China, France, Jordan, Lithuania, Luxembourg, Nigeria, Republic of Korea, Russian Federation, Rwanda, United Kingdom of Great Britain and Northern Ireland and United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2146 (2014).

I shall now give the floor to the members of the Council who wish to make statements following the voting.

Mrs. Perceval (Argentina) (*spoke in Spanish*): Argentina supported resolution 2146 (2014) bearing in mind, in particular, the request from the Government of Libya to receive assistance from the international community at a stage in its history in which the latter finds itself committed to contribute to the country's stability, institutional rebuilding and economic and social development. In that context, in the light of the principle of a State's permanent sovereignty over its natural resources, we also took into account the need to safeguard Libya's natural resources.

At the same time, we highlight that the step that has been authorized is of an exceptional nature when it comes to the basic norms concerning the exclusive jurisdiction of flag States over their vessels on the high seas. In that connection, we underscore that, as clearly set out in the text of the resolution, the authorization that has been granted is limited to vessels that have been identified by the Security Council Committee established pursuant to resolution 1970 (2011). It does not cover other vessels or any other situation, including when it comes to previous sanctions, nor does it provide a basis for customary international law.

We also bore in mind that the authorization is in the context of the Council's authority, but it is also firmly within the parameters of existing international law. That body of law includes international humanitarian law and human rights law, as well as other aspects of international law. And we were mindful that, in accordance with the exceptional nature of this measure, the current authorization extends for a period of one year. We understand that, in the normal course of events, it should be superceded by another form of cooperation with Libya that makes it possible for that country to adequately respond to a situation that is essentially the responsibility of an individual State.

Mr. Pankin (Russian Federation) (*spoke in Russian*): The Russian Federation found it possible to support resolution 2146 (2014), which was prepared by the United States, given the seriousness of the problem faced by Libya's central Government and its appeal to the Security Council. We agree that the illegal export of Libyan oil threatens to further jeopardize the country's stability, which already suffers from internal strife. At the same time, we would like to highlight two points.

First, it is no secret to anyone that the situation that the resolution aims at did not arise yesterday, or even when the groups active in the eastern part of Libya expressed ambitions. It predates that. I would like to recall that the first delivery of oil from the eastern part of the country made without central Government authority took place in April 2011. Moreover, in May of that year, an American company acquired oil in such an unlawful manner. The State Department of the United States, in a statement on 20 June 2011, supported those unlawful actions. The genie was let out of the bottle, and certain Libyan groups seemed to take a liking to that. If it worked three years ago, why not try today? Therefore, unfortunately not for the first time, we are having to use emergency measures to deal with problems that were created with the connivance and even support of a number of Member States, including some represented at this table.

Secondly, we assume that resolution 2146 (2014) will not affect the regime established by the United Nations Convention on the Law of the Sea, including the general principle of the exclusive jurisdiction of a flag State over its vessels on the open seas.

Mr. Liu Jieyi (China) (*spoke in Chinese*): The Chinese delegation voted In favour of resolution 2146 (2014), just adopted by the Council.

China is deeply concerned about the illegal export of Libyan oil. We support the efforts of the Libyan Government in safeguarding and maintaining national economic sovereignty and we hope that resolution 2146 (2014) will contribute to the fight against the illicit export of Libyan oil.

China calls on all parties in Libya to put the interests of their country and people first; maintain unity; safeguard national sovereignty, unity and territorial integrity together; and appropriately resolve issues arising in the process of political transition and economic reconstruction through dialogue and consultation.

Resolution 2146 (2014) clearly provides that it should not be considered as establishing customary international law and that measures adopted by Member States under the authorization of that resolution shall not affect the exclusive jurisdiction of a flag State over its vessels on the high seas. It further stipulates that, when adopting inspection measures, Member States should first seek the consent of the vessel's flag State. We hope that Member States will fully and accurately implement resolution 2146 (2014), abide by the principles of international law and protect the legitimate rights and interests of flag States.

The President (*spoke in French*): I now give the floor to the representative of Libya.

Mr. Dabbashi (Libya) (*spoke in Arabic*): I would like to thank you, Madam President, for having given us this opportunity to speak during this meeting. I know that the Council has a great deal on its agenda, so I do not wish to take up more than a few minutes of its time.

I wanted to address the Council today to express the thanks of the people and Government of Libya for having responded quickly to our request for it to take a position with regard to the attempts to circumvent Libyan control over our oil and concerning attacks on Libyan sovereignty over its resources. The position of the Security Council today in adopting resolution 2146 (2014) reaffirms the commitment of the Council to respect the rules of international law. Moreover, it sends a clear signal to the Libyan Government that the Security Council is prepared to come to Libya's aid when so required. Furthermore, it sends a strong signal to the people of Libya that they will not be left alone during this critical transition period.

More important than that is the fact that this resolution sends a clear message to those operating outside the law, the criminals and all those who are exploiting the weakness of the State to undermine its stability and sovereignty and embezzle its resources. This is a clear message that the international community will not tolerate such acts.

Resolution 2146 (2014) also sends a message to the world at large that the international community will be vigilant against anything leading to the loss of innocent lives and against anyone seeking to impose their will on Libya through the use of arms or to control the Libyan people by means outside of the legitimate democratic framework. This is a message to the Libyan people. The Security Council will assist the Libyan people whenever we are in need. We thank the Council for that assistance.

Finally, I would like to thank in particular the United States for having escorted the vessel in question back to Libya and for its efforts in preparing resolution 2146 (2014) for adoption today.

The President (*spoke in French*): There are no more names inscribed on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.15 a.m.